

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9 Response 2635
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In re application of:

DOUGLAS C. CAMPBELL

Group Art Unit: 2635

Serial No.: 09/885,797

Examiner: Nicholas L. Linnenkamp

Filed: June 20, 2001

For: VOICE ACTIVATED REMOTE KEYLESS ENTRY FOB

Attorney Docket No.: LUTA 0244 PUSP (12195)

REPLY UNDER 37 C.F.R. § 1.111

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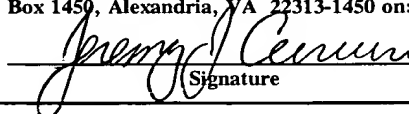
This is a reply to the Office Action mailed on December 19, 2003.

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Remarks

Claims 1-20 remain pending in this application. Claims 1-3, 9, 13, 14, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Chutorash* (U.S. Patent No. 6,144,114). Claims 4-8, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chutorash* in view of *Namba et al.* (U.S. Patent No. 5,884,249). Claims 10-12 and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chutorash* in view of *Kikinis et al.* (U.S. Patent No. 5,835,732). Applicant believes that the invention is patentable.

Regarding the rejection of claims 1-3, 9, 13, 14, and 18 under 35 U.S.C. § 102(e) as being anticipated by *Chutorash*, *Chutorash* fails to anticipate the invention as set forth by these claims.

Claim 1 recites a remote keyless entry (RKE) transmitter for selectively controlling operation of at least one device. The RKE transmitter comprises a portable fob housing, a microphone mounted to the fob housing for receiving a voice command, and a processor. The processor is connected to the microphone and arranged to detect and recognize the received voice command. The processor is arranged to generate a control signal associated with the recognized voice command. The RKE transmitter further comprises a transmitter responsive to the processor for transmitting the control signal to a receiver unit to control operation of the at least one device.

Chutorash fails to suggest the combination of the microphone, processor, and transmitter with the portable fob housing. *Chutorash* describes an auto PC wallet PC faceplate. The *Chutorash* input device is described as an input device exemplified as a personal data administrator or palm-held computer (col. 3, ll. 13-14). There is no suggestion in *Chutorash* of an RKE transmitter comprising a combination including a portable fob housing, as recited by claim 1. *Chutorash* only makes mention of an input device 22 exemplified as a personal data administrator or palm-held computer. The Examiner refers to input device 22 as a "fob housing," but *Chutorash* itself makes no such suggestion. *Chutorash*

refers to device 22 as a PDA and it is noted that the Examiner also refers to the *Chutorash* device as a PDA throughout the Examiner's remarks.

Claim 1 recites a specific combination to achieve an RKE transmitter including a microphone, processor, and transmitter, together with a portable fob housing. *Chutorash* fails to anticipate such an arrangement. Further, there is no suggestion to modify *Chutorash* to achieve the claimed combination. For these reasons, claim 1 is believed to be patentable.

Claims 2-3 and 9 are dependent claims and are also believed to be patentable. In addition, the more detailed features recited by these dependent claims are not suggested by the prior art as being usable in an RKE transmitter arrangement that includes a portable fob housing. With regard to claim 13, claim 13 is an independent claim, is believed to be patentable, and recites receiving a voice command from a microphone mounted to a portable fob housing, among other limitations. Claim 14 is a dependent claim and is also believed to be patentable. Lastly, claim 18 is an independent claim and is believed to be patentable for similar reasons as given above.


Regarding the rejection of claims 4-8, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Chutorash* in view of *Namba et al.*, these claims are believed to be patentable. Claims 4-8 and 19-20 are dependent claims. The deficiencies of the primary reference *Chutorash* are noted above. With regard to *Namba et al.*, *Chutorash* in view of *Namba et al.* fails to suggest the invention. More specifically, *Namba et al.* fails to overcome the deficiency of *Chutorash*. *Namba et al.* relates to an input information managing method and makes no suggestion of incorporating features into a portable fob housing. Thus, *Namba et al.* fails to overcome the deficiency of *Chutorash*. Further, it is noted that *Namba et al.* appears unrelated to the field of vehicle keyless entry systems and portable fob housings, and further appears unrelated to the problem of hands-free operation. As such, in addition to failing to overcome the deficiencies of *Chutorash*, *Namba et al.* is non-analogous art and there could be no suggestion to combine any features of *Namba et al.* with *Chutorash*, let alone any suggestion to combine the reference to achieve Applicant's invention. For these reasons, claims 4-8 and 19-20 are believed to be patentable.

Regarding the rejection of claims 10-12 and 15-17 under 35 U.S.C. § 103(a) as being unpatentable over *Chutorash* in view of *Kikinis et al.*, these claims are believed to be patentable. Claims 10-12 and 15-17 are dependent claims. *Kikinis et al.* also fails to overcome the deficiency of the primary reference *Chutorash*. *Kikinis et al.* relates to a miniature digital assistant having enhanced host communication, but there is no suggestion in *Kikinis et al.* of a portable fob housing. Further, like *Namba et al.*, *Kikinis et al.* appears unrelated to the field of Applicant's invention and the particular problem addressed by Applicant's invention. For this reason, *Kikinis et al.* is also believed to be non-analogous art and there could be no motivation to combine *Kikinis et al.* with *Chutorash*, let alone a suggestion to combine these references to achieve the invention. For these reasons, claims 10-12 and 15-17 are believed to be patentable.

Respectfully submitted,

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